

## **Jim Walker Sub to Wildlife Act Review**

Earth is now experiencing the fastest Mass Extinction event in recorded geological history - the Anthropocene Extinction Event. Colonial Australians generally can't believe this is happening, or that they are the main cause of extinctions in Australia. They are inclined to take the optimistic view, put forward by our current governments, that all will be fine if we carry on the way we are.

But, in fact, obviously, urgent change is needed. The fact that environmental decline means loss of potential, and economic decline sooner or later, may dawn on our colonial governors only when terminal disaster strikes. Way too late in other words.

It is essential to understand the rules of nature, because nature makes the rules. People are a product of natural systems, and are adapted to them. So, when we change, damage or destroy those systems, we risk damaging or destroying ourselves.

Not just well-being, but all wealth, comes from the land, and yet the land, under colonial occupation, is most often abused for the short-term dollar profits that can be generated.

Nevertheless, most of the world's peoples have now adopted, or had forced upon them, the unsustainable industrial culture developed initially by Europeans, while at same time human populations have rapidly expanded in size.

So, we have a situation where people consume more and more resources while increasing their own numbers. The resource consumption includes wildlife, either directly as in taking wildlife for food or profit, or indirectly as in clearing land to grow food or industrial crops.

No wildlife protection Act or collection of wildlife protection Acts (as we now have) can prevent further wildlife extinctions while those bigger forces prevail.

In many ways the wildlife Acts are designed to facilitate extinctions, by focusing on individual species. All species are connected, so to allow a species to become rare and endangered its effective function within an ecosystem is already gone. This is very noticeable to a trained observer in the case of key pollinators and seed distributors. If these species dwindle and disappear so will the dependent plant species.

When the British came to Australia, with their military apparatus, they were advised by the Home Office to be kind to the Aboriginal residents (while taking their land and their food resources). This same attitude pervades today. Developers are now advised that their projects may proceed so long as they 'protect' the local environment, generally a logical absurdity.

When British arrived in Australia they occupied small areas on the coast and indigenous people had all the rest. Soon, the new arrivals occupied or controlled all the land, and indigenous people were in concentration camps or in remote areas. Today, even the natural Australian environments are confined to smaller and smaller areas, and increasingly native flora and fauna are in fenced compounds for their own protection.

Generally speaking, the people most adversely affected by loss of native species and environments are the indigenous people whose land it is, and the people least adversely affected are the politicians, the bureaucrats, and the business people who benefit financially from this destruction

A partial remedy for this might be to require consultation with Indigenous land owners for all proposed changes to the Wildlife Act, and all developments on their land which are of particular significance to them

The Victorian 1975 Wildlife Act purported to protect all native wildlife, long after many indigenous species had already been driven into extinction.

Today, almost any wildlife exploitation is allowable so long as a fee is paid to government.

All public land, including National Parks, and reserves is now operated as de facto farmland for exotic species – deer, pigs, goats, trout, carp – all farmed and managed by government. Cats, rabbits and foxes might be the exception. Some of these feral species e.g. deer species and exotic trout are even protected by law in Victoria. Horses are protected in NSW therefore create another feral burden for Victoria.

The existing Victorian Wildlife Act is unduly complex. It is full of contradictions and equivocations, lacks clarity and adequate enforcement powers. An independent regulator has been suggested, but we already have nominally independent regulators, such as the Office of the Conservation Regulator, which is highly ineffective. It has an advisory role only. National Parks is severely underfunded. The Environment Protection Authority is severely underfunded. Planning in Victoria is run by and for developers.

What has evolved, where legislation permits it, is for the public to take on the monitoring and enforcement role, so now citizen groups, at their own expense, can do the monitoring and data collection, and when necessary, prosecute infringements in the courts, also at their own expense. This is a costly and time-consuming enterprise. The public are also paying for the government staff who are not doing their job, and paying the court costs of State agencies and any fines imposed on State agencies.

The operations of these citizen groups allow governments to avoid direct responsibility, and also save governments a lot of expense in time and money. Meanwhile, governments set about creating ever more legislation, and more State governing agencies, all of which amount to very little by way of environmental protection. But it does put a lot of people on the government payroll, and these people, needless to say, are grateful to the government.

If this current citizen action arrangement could be formalized and given more support it might prove an effective way of giving more protection to our native environments, where governments don't see it as their role.

Many native species can be killed or harvested under the wildlife protection Acts, e.g. many duck species, kangaroos, and anything land users deem a nuisance, including endangered species.

Our recent colonial State Government budget proposes to spend more than \$200 billion on a few kilometres of environmentally destructive tollway in Melbourne city, and just a few million on environmental protection. State Governments and State agencies are a major obstacle to environmental protection even after accounting for the inevitable corruption and bungling.

Thus, in an act of desperation, I suggest,

- All native wildlife should be protected under the Wildlife Act
- There should be no authorized killing of native wildlife, including vegetation, except as a last resort. Other control measures can be found.
- The public must have the right to take legal action to protect this public property.
- All remaining native habitat, especially hollow-bearing trees, wetlands, and grasslands, also need to be protected. Urban environments have wildlife that should be protected under the Wildlife Act, particularly wetlands, native trees and trees with hollows
- All exotic feral species need to be proclaimed pests under the Wildlife Act, including deer, goats, horses, cats and dogs (except dingo)
- Duck shooting should be banned, as in NSW, Qld and WA
- Logging of native forests is inconsistent with wildlife protection, and ecosystem sustainability, so should cease
- No agencies such as VicRoads, Regional Roads Victoria, Melbourne Water, should be exempt from the operation of the Wildlife Act
- native roadside vegetation should be protected, or in exceptional circumstances offset.
- All chemical herbicides and pesticides should be examined for their toxicity to Australian wildlife, and progressively banned and removed
- Chemical fertilizers should be phased out
- The current regime of planned burning is inconsistent with wildlife protection, as it is based on area burnt, and frequent burning solely to protect human infrastructure rather than native environments.
- All documents and all activities performed under the Wildlife Act should be recorded and made publicly available
- Heavier penalties for offenders against the provisions of the Wildlife Act are needed, including jail time, and compulsory environmental restoration. Where State agencies or corporations are the offenders, fines could be levied against the chief officer personally, or they could be jailed. Penalties applied could be on a scale dependent on the status of the species or habitat in issue e.g. \$10 million dollars for deliberate destruction of a critically endangered species or habitat.
- The Wildlife Act could be the overriding Act, subsuming or incorporating the Flora and Fauna Guarantee Act 1988, and overriding the Planning Act 1987.

